

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

CELIA MARTINEZ GONZALEZ and
ROLANDO VALLE REYES

Plaintiffs

V.

CASE NO. 02:24-CV-00077-AM

DANIEL DEFENSE, LLC;
DANIEL DEFENSE HOLDINGS, LLC;
M.C. DANIEL GROUP, INC.;
FIREQUEST INTERNATIONAL, INC.;
FLASH CO., INC.;
PROJECT ECHO HOLDINGS, LLC d/b/a
AMERICAN HOLOPTICS;
KOUCHAR MANAGEMENT, LLC; and
OASIS OUTBACK, LLC

Defendants

DANIEL DEFENSE, LLC f/k/a DANIEL DEFENSE, INC., DANIEL DEFENSE HOLDINGS, LLC, AND M.C. DANIEL GROUP, INC.'S
ADVISORY TO THE COURT

TO CHIEF UNITED STATES DISTRICT JUDGE ALIA MOSES:

Now comes Daniel Defense, LLC f/k/a Daniel Defense, Inc., Daniel Defense Holdings, LLC, and M.C. Daniel Group, Inc. (collectively here, “Daniel Defense”) and submits this Advisory to the Court to correct a statement in its Notice of Removal (Doc. 1).

Daniel Defense removed this case on July 19, 2024. Doc. 1. In its removal notice, Daniel Defense stated that removal was timely sought “because Daniel Defense filed this notice before it even received service.” *Id.*, p. 33, § IV; *see id.*, p. 2 (same). However, Daniel Defense recently learned that Daniel Defense Holdings, LLC was served prior to removal.

On July 29, 2024, Daniel Defense Holdings, LLC's registered agent, Advanced Corporate Agent Services, Inc. of Dover, Delaware, forwarded a copy the citation and Plaintiffs' Original Petition that it received on July 12, 2024 in this matter. Advanced Corporate Agent Services, Inc.

had not previously forwarded this citation and petition to Daniel Defense Holdings, LLC, and Daniel Defense Holdings, LLC was not aware of the service until July 29, 2024. A copy of the citation received by the registered agent is attached as Exhibit 1.¹

Daniel Defense submits this Advisory to correct the prior statement in its removal notice. Removal is still timely, however, because Daniel Defense removed the case less than 30 days after Daniel Defense Holdings, LLC was served. *See* 28 U.S.C. § 1446(b) (stating defendant must remove case within 30 days of being served). Additionally, it has been less than one year since this action was commenced. *See* 28 U.S.C. § 1446(c).

Respectfully submitted,

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DANIEL DEFENSE, INC.,
DANIEL DEFENSE HOLDINGS, LLC,
AND M.C. DANIEL GROUP, INC.***

¹ The same day, this same agent forwarded the citation and petition it received on behalf of Daniel Defense Holdings, LLC is a related case – *Camacho et al. v. Daniel Defense, LLC, et al*, 02:24-CV-00776-AM. Daniel Defense will file a similar advisory in that case.

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of July 2024, I served the following counsel of record through electronic service as authorized by the Federal Rules of Civil Procedure:

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